

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed February 25, 2008. Through this response, claim 5 has been amended to remove the gerund from "receiving" consistent with the type of claim presented. Reconsideration and allowance of the application and pending claims 1-8 are respectfully requested.

I. Specification Amendments

As noted above, various amendments have been made to the specification through this response to correct typographical and grammatical errors and update the cross reference to related applications section. Although these amendments effect several changes to the specification, no new matter has been added.

II. Claim Rejections - 35 U.S.C. § 102(e)

A. Statement of the Rejection

Claims 1-8 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by *Alexander et al.* ("Alexander," U.S. Pat. No. 6,177,931). Applicants respectfully traverse this rejection.

B. Discussion of the Rejection

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(e).

In the present case, not every claimed feature is represented in the *Alexander* reference. Applicants discuss the *Alexander* reference and Applicants' claims in the following.

Independent Claim 1

Claim 1 recites (with emphasis added):

1. A method for providing video content via a television, comprising the steps of:
 - providing a user with a menu that includes a plurality of options corresponding to respective control settings for controlling functionality of a channel navigation key, wherein the menu is displayed via the television;
 - receiving a first user input corresponding to ***one of the plurality of options that is configured to terminate provision of an interactive program guide (IPG)*** having a plurality of television program listings;
 - providing the IPG;
 - receiving a second user input corresponding to the channel navigation key; and
 - responsive to receiving the second user input and responsive to having previously received the first user input:
 - terminating providing of the IPG; and
 - providing a video presentation.

Applicants respectfully submit that *Alexander* fails to disclose, teach, or suggest at least the above-emphasized features. For instance, the Office Action (pages 2-3) alleges that the above-emphasized features correspond to the select unlock button, and in particular alleges that the "select unlock button terminates lock state and entering unlock state." Applicants respectfully disagree. The unlock button, for instance as shown in FIG. 4B, does not provide any functionality that enables termination of an IPG. Indeed, *Alexander* discloses the functionality presented by the unlock and lock button in column 4, lines 5-12 as follows:

If the viewer selects the "lock" status, the last channel to which the tuner was set in the PIP Window continues to be displayed regardless of the actions exercised by the viewer. In the unlocked status, the channel highlighted by cursor 36 in Grid Guide 22 is displayed if the Grid Guide is displaying currently telecast programs and the last currently telecast

channel that was highlighted is displayed if the Grid Guide is displaying future programs.

As is evident from the above-cited section of *Alexander*, the alleged equivalent to the claimed "options" has nothing to do with the termination of the IPG, and accordingly, fails to support an allegation of anticipation. Accordingly, for at least the reasons presented above, Applicants respectfully request that the rejection be withdrawn.

Because independent claim 1 is allowable over *Alexander*, dependent claim 2 is allowable as a matter of law for at least the reason that the dependent claim 2 contains all elements of their respective base claim. See, e.g., *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

Independent Claim 3

Claim 3 recites (with emphasis added):

3. A method for providing video content via a television, comprising the steps of:
 - providing a user with a menu that includes a plurality of options corresponding to respective control settings for controlling functionality of numeral input keys, wherein the menu is displayed via the television;
 - receiving a first user input corresponding to **one of the plurality of options that is configured to terminate provision of an interactive program guide (IPG)** having a plurality of television program listings;
 - providing the IPG;
 - receiving a second user input corresponding to at least one of the numeral input keys; and
 - responsive to receiving the second user input and responsive to having previously received the first user input:
 - terminating provision of the IPG; and
 - providing a video presentation.

Applicants respectfully submit that *Alexander* fails to disclose, teach, or suggest at least the above-emphasized features. For instance, the Office Action (page 4) alleges that the above-emphasized features correspond to the select unlock button, and in particular alleges that the "select unlock button terminates lock state and entering unlock state."

Applicants respectfully disagree. The unlock button, for instance as shown in FIG. 4B, does not provide any functionality that enables termination of an IPG. Indeed, *Alexander* discloses the functionality presented by the unlock and lock button in column 4, lines 5-12 as follows:

If the viewer selects the "lock" status, the last channel to which the tuner was set in the PIP Window continues to be displayed regardless of the actions exercised by the viewer. In the unlocked status, the channel highlighted by cursor 36 in Grid Guide 22 is displayed if the Grid Guide is displaying currently telecast programs and the last currently telecast channel that was highlighted is displayed if the Grid Guide is displaying future programs.

As is evident from the above-cited section of *Alexander*, the alleged equivalent to the claimed "options" has nothing to do with the termination of the IPG, and accordingly, fails to support an allegation of anticipation. Accordingly, for at least the reasons presented above, Applicants respectfully request that the rejection be withdrawn.

Because independent claim 3 is allowable over *Alexander*, dependent claim 4 is allowable as a matter of law.

Independent Claim 5

Claim 5 recites (with emphasis added):

5. A television set-top terminal (STT) configured to output video signals to a television, the STT comprising:
 at least one tuner configured to receive video signals
corresponding to video presentations;
 memory having stored therein program code; and
 at least one processor that is programmed by the program code to enable the STT to:
 provide a user with a menu that includes a plurality of options corresponding to respective control settings for controlling functionality of a channel navigation key, wherein the menu is displayed via the television;
 receive a first user input corresponding to ***one of the plurality of options that is configured to terminate provision of an interactive program guide (IPG)*** having a plurality of television program listings;
 provide the IPG;
 receive a second user input corresponding to the channel navigation key; and
 responsive to receiving the second user input and responsive to having previously received the first user input:
 terminate provision of the LPG; and
 provide a video presentation.

Applicants respectfully submit that *Alexander* fails to disclose, teach, or suggest at least the above-emphasized features. For instance, the Office Action (pages 2-3) alleges that the above-emphasized features correspond to the select unlock button, and in particular alleges that the "select unlock button terminates lock state and entering unlock state." Applicants respectfully disagree. The unlock button, for instance as shown in FIG. 4B, does not provide any functionality that enables termination of an IPG. Indeed, *Alexander* discloses the functionality presented by the unlock and lock button in column 4, lines 5-12 as follows:

If the viewer selects the "lock" status, the last channel to which the tuner was set in the PIP Window continues to be displayed regardless of the actions exercised by the viewer. In the unlocked status, the channel highlighted by cursor 36 in Grid Guide 22 is displayed if the Grid Guide is displaying currently telecast programs and the last currently telecast

channel that was highlighted is displayed if the Grid Guide is displaying future programs.

As is evident from the above-cited section of *Alexander*, the alleged equivalent to the claimed "options" has nothing to do with the termination of the IPG, and accordingly, fails to support an allegation of anticipation. Accordingly, for at least the reasons presented above, Applicants respectfully request that the rejection be withdrawn.

Because independent claim 5 is allowable over *Alexander*, dependent claim 6 is allowable as a matter of law.

Independent Claim 7

Claim 7 recites (with emphasis added):

7. A television set-top terminal (STT) configured to output video signals to a television, the STT comprising:
 at least one tuner configured to receive video signals
corresponding to video presentations;
 memory having stored therein program code; and
 at least one processor that is programmed by the program code to
enable the STT to:
 provide a user with a menu that includes a plurality of options
corresponding to respective control setting for controlling functionality of
numeral input keys, wherein the menu is displayed via the television;
 receive a first user input corresponding to ***one of the plurality of
options that is configured to terminate provision of an interactive
program guide (IPG)*** having a plurality of television program listings;
 provide the IPG;
 receive a second user input corresponding to at least one of the
numeral input keys; and
 responsive to receiving the second user input and responsive to
having previously received the first user input:
 terminate provision of the IPG; and
 provide a video presentation.

Applicants respectfully submit that *Alexander* fails to disclose, teach, or suggest at least the above-emphasized features. For instance, the Office Action (page 4) alleges that the above-emphasized features correspond to the select unlock button, and in particular alleges that the "select unlock button terminates lock state and entering unlock state."

Applicants respectfully disagree. The unlock button, for instance as shown in FIG. 4B, does not provide any functionality that enables termination of an IPG. Indeed, *Alexander* discloses the functionality presented by the unlock and lock button in column 4, lines 5-12 as follows:

If the viewer selects the "lock" status, the last channel to which the tuner was set in the PIP Window continues to be displayed regardless of the actions exercised by the viewer. In the unlocked status, the channel highlighted by cursor 36 in Grid Guide 22 is displayed if the Grid Guide is displaying currently telecast programs and the last currently telecast channel that was highlighted is displayed if the Grid Guide is displaying future programs.

As is evident from the above-cited section of *Alexander*, the alleged equivalent to the claimed "options" has nothing to do with the termination of the IPG, and accordingly, fails to support an allegation of anticipation. Accordingly, for at least the reasons presented above, Applicants respectfully request that the rejection be withdrawn.

Because independent claim 7 is allowable over *Alexander*, dependent claim 8 is allowable as a matter of law.

Due to the shortcomings of the *Alexander* reference described in the foregoing, Applicants respectfully assert that *Alexander* does not anticipate Applicants' claims. Therefore, Applicants respectfully request that the rejection of these claims be withdrawn.

CONCLUSION

Applicants respectfully submit that Applicants' pending claims are in condition for allowance. Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, and similarly interpreted statements, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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